

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

EDNA FRANCHINI and VALARIE SEALS,
individually and on behalf of all others similarly
situated,

Plaintiffs,

v.

ACCU-TIME SYSTEMS, INC.,

Defendant.

Case No.: 21-cv-05075

Hon. Steven C. Seeger
Magistrate Judge Laura K. McNally

**PLAINTIFFS' MOTION TO STRIKE AND WITHDRAW DKT. NOS. 85, 85-1 & 85-2
WITHOUT PREJUDICE**

NOW COMES Plaintiffs, Edna Franchini and Valarie Seals ("Plaintiffs"), on behalf of themselves and all others similarly situated, by counsel, and moves with Court to withdraw and strike Plaintiffs' Motion to Compel and for Rule to Show Cause Against Fresh Express Incorporated from the docket without prejudice (Dkt. Nos. 85, 85-1 & 85-2).

1. On September 18, 2025, Plaintiffs' Filed a Motion to Compel and for Rule to Show Cause Against Fresh Express Incorporated. (Dkt. Nos. 85, 85-1, 85-2).
2. Upon service of the Motion, Fresh Express's Counsel objected to some of the information in the Motion as confidential and also stated other objections.
3. Out of an abundance of caution and to protect against the disclosure of potentially confidential or protected information Plaintiffs move to withdraw and strike Dkt. Nos. 85, 85-1 & 85-2 from the docket without prejudice and leave to refile after fixing any errors in the filing.
4. Any improper disclosure was inadvertent or not intended to disclose properly designated confidential information.

5. This Motion is filed as soon as practicable after the objection from Fresh Express.

WHEREFORE, Plaintiffs respectfully request that:

- a. Plaintiffs be granted leave to withdraw without prejudice their Motion to Compel and Rule to Show Cause against Fresh Express Incorporated.
- b. That Docket Nos. 85, 85-1 & 85-2 be stricken and removed as a filing from the docket, with leave to refile.

Dated: September 18, 2025

Respectfully Submitted,

By: /s/ Mara Baltabols
One of Plaintiffs' Attorneys

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CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that on September 8, 2025, the foregoing was filed electronically with the Clerk of Court using the ECF system, which sent notification of such filing to all counsel of record and via email and mail upon Counsel for the Subpoena Respondent below:

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/s/ Mara Baltabols
One of Plaintiffs' Attorneys